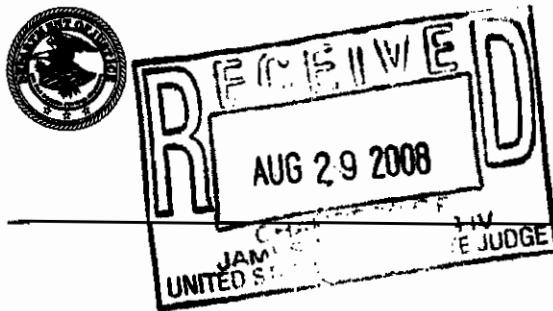


U.S. Department of Justice



United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

August 28, 2008

By Hand

Honorable James C. Francis
United States Magistrate Judge
United States Courthouse
500 Pearl Street, Room 1960
New York, New York 10007

Re: Jose Rodriguez v. Astrue
08 Civ. ~~1527~~ (RMB) (JCF)

Dear Judge Francis:

This Office represents the Commissioner of Social Security (the "Commissioner"), defendant in the above-captioned action. I write respectfully to request, with the consent of plaintiff, a thirty-day extension of time, from September 2, 2008, to October 2, 2008, to move with respect to the complaint. The purpose of this request is to allow plaintiff an opportunity to seek administrative relief for the late filing of his complaint under 20 C.F.R. §§ 404.982, 416.1482.

This is defendant's second request for an extension of time, as defendant's response to the complaint was originally due on July 1, 2008.

Thank you for your consideration of this request.

8/29/08

Application granted. In addition, plaintiff's answering papers shall be due by November 3, 2008, and defendant's reply by November 17, 2008.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

BY:


LESLIE A. RAMIREZ-FISHER
Assistant U.S. Attorney
Telephone: (212) 637-0378
Fax: (212) 637-2750

cc: James Baker, Esq. (By Overnight Mail)

SO ORDERED.

